

201404422 4920 High Point Road

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

DENIAL of a request to rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for two (2) lots.

PLANNING COMMISSION RECOMMENDATION- February 19, 2015

Resolution Meeting

January 29, 2015

Information Meeting

January 7, 2015

201404022- TBD

PROPERTY INFORMAT	TION			
Address, Land Lot, and	4920 High Point Road			
District	Land Lot 67, District 17			
Council District	5 (Tiberio "Tibby" DeJulio)			
Frontage	Approximately 296.10 feet of frontage al			
	Approximately 179.55 feet of frontage al	long the north side of Highbrook Drive		
Area	1.57 Acres	*		
Existing Zoning and Use	R-2 single family dwelling.			
Overlay District	N/A	9 H H H		
2027 Comprehensive	R1-2 (1-2 units per acre)			
Future Land Use Map				
Designation		Jish , Wallack & Allies		
Proposed Zoning	R-2A (Single Family Dwelling District)			
APPLICANT/PETITION	ER INFORMATION			
Property Own	er Petitioner	Representative		
Jeff Spillane	Craftmaster, Inc.	Jeff Spillane		
Community Zoning	Community Developer Planning Com	mmission Mayor and City Council		

Hearing

February 19, 2015

Hearing

March 17, 2015

COMMUNITY DEVELOPMENT

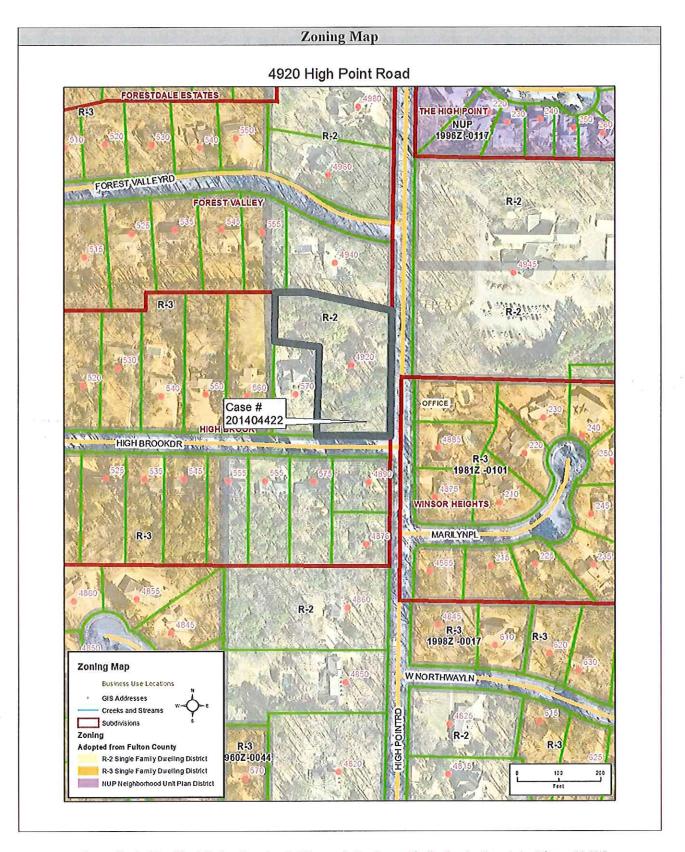
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EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

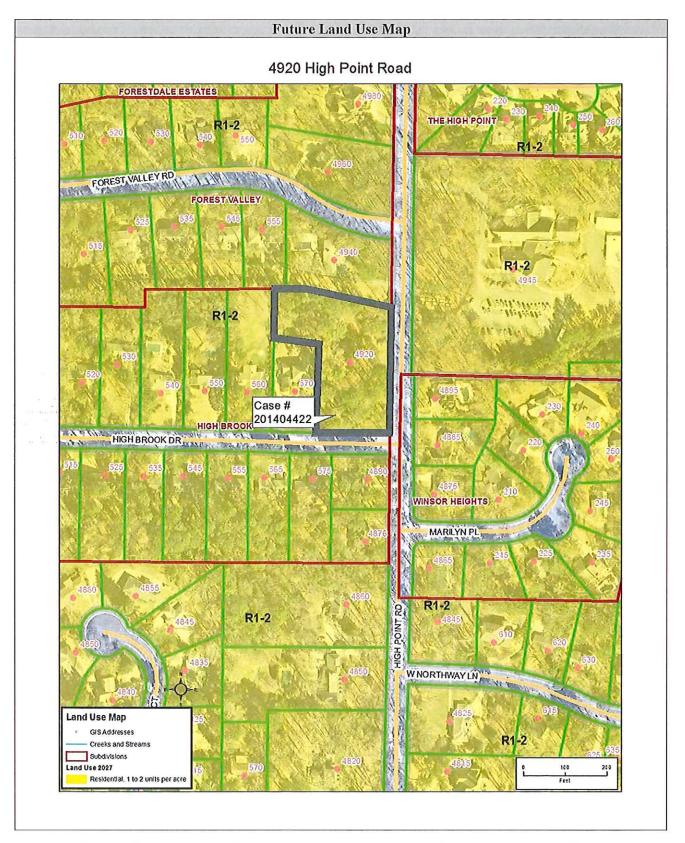
SUBJECT	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
PETITION 201404422	R-2A	Single Family	1.57	2	1.273 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	R-2	Single Family	1.066	1	0.938 Units/acre
North	R-3	Single Family	0.522	1	1.915 Units/acre
East	R-2	Institutional	7.678	n/a	n/a Units/acre
East	R-3	Single Family	0.412	1	2.427 Units/acre
East	R-3	Single Family	0.446	1	2.242 Units/acre
South	R-2	Single Family	0.603	1	1.658 Units/acre
South	R-2	Single Family	0.417	1	2.398 Units/acre
West	R-2	Single Family	0.550	1	1.818 Units/acre
West	R-3	Single Family	0.807	1	1.239 Units/acre

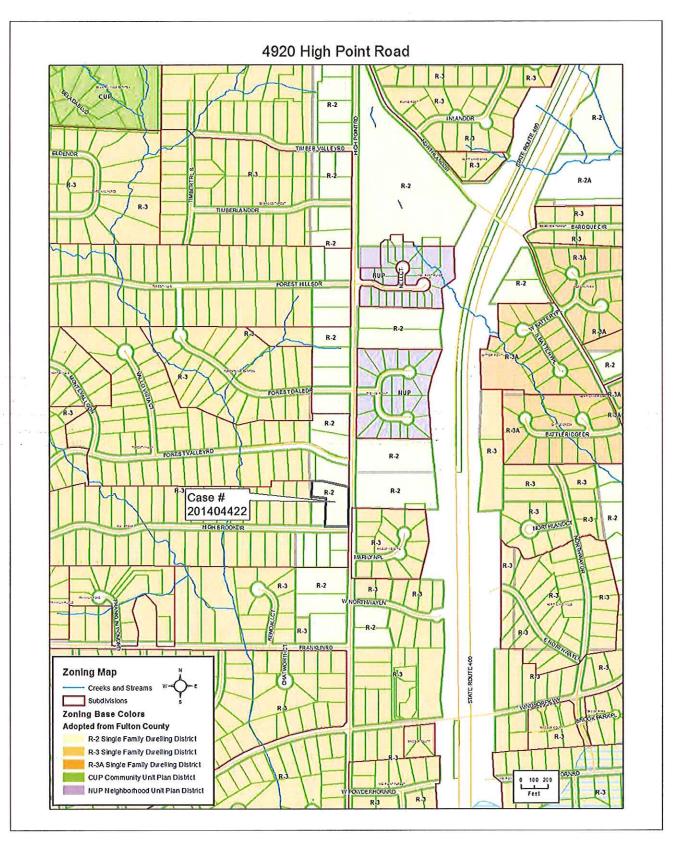
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ZONING IMPACT ANALYSIS

Request to rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to create two (2) lots.

Per Article 28.4.1, Zoning Impact Analysis by the Planning Commission and the Department, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Findings: Staff is of the opinion that single family residential use is appropriate. Zoning classifications of surrounding properties follow. North: R-2 (Single Family Dwelling District); South (across High Brook Drive): R-2; East (Across High Point Road): R-2 and R-3 (Single Family Dwelling District); and West: R-2 and R-3. All lots to the north which front High Point Road are zoned R-2 and are 0.95 acres in size or larger. Four lots to the south which front High Point Road are zoned R-2. Three of these are greater than 1.4 acres in size, with the other being 0.4 acres in

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Findings: Staff is of the opinion that the proposed increase in density may adversely affect the existing use, usability, and character of the adjacent residential properties.

C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.

Findings: The property is currently zoned R-2. Staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.

Findings: Staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances.

E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

Findings: Staff is of the opinion that the proposal is not consistent with Land Use Policies of the City of Sandy Springs Comprehensive Plan. The subject parcel is designated as R1-2 (1 to 2 units per acre) in the future land use plan. However, the proposal is not consistent with the Comprehensive Plan Policies that call for the protection of existing neighborhoods and new projects to be developed at a scale similar to surrounding properties, in that many properties along High Point Road are typically one (1) acre or larger.

Land Use Policies - Protected Neighborhoods (2027 Comprehensive Plan, Chapter 5: Policies -Page 100)

The following policies apply to all properties within the boundary of protected neighborhoods as shown on the future land use plan map. Where consistent with the context, such policies may be determined appropriate in transitional areas.

1. Protect the character and integrity of existing neighborhoods, while also meeting the needs of communities.

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- 4. Limit infill development within protected neighborhoods to densities that are consistent with the surrounding residential development.
- 6. Residential infill development in protected neighborhoods should maintain the existing dwelling setback pattern in relation to the street.

Land Use Policies - Transitional Areas (2027 Comprehensive Plan, Chapter 5: Policies - Page 100)

Transitional areas are areas where land use changes from one use to another and areas with the same use, but where intensities change from lower to higher.

The area and lot width of any new lot for detached, single-family dwellings facing the same street as that serving the neighborhood, should not be less than 80 percent of the area of the existing lot it abuts in the protected neighborhood fronting on the same street.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Findings:

The staff is of the opinion that the recent council action denying (rezoning file 201301810) and Planning Commission's recent recommendation for denial (rezoning file 201403566) a request to subdivide property along High Point Road constitutes a changed condition which gives supporting grounds for denial of the applicant's proposal.

G. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.

Findings:

The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City Codes including a stormwater management system.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on January 7, 2015 at which the following departments had comments.

Transportation	Recommended Conditions
Services	 At the time of permitting, the site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on a review of the zoning site plan, please note the following: The minimum lane width for existing streets is 12 feet. The driveway for the corner lot shall be located on Highbrook Drive with no access to High Point Road, §103-73. Proposed driveways shall meet minimum sight distance of §103-77. All frontages shall meet curb and gutter requirements, §103-79.

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- Sidewalks are required on the frontages of High Point Road and Highbrook Drive, §103-80.

The staff has received additional comments from Fulton County Department of Health and Wellness (see attachments).

PUBLIC INVOLVEMENT

Public Comments

None

CONCULSION TO FINDINGS

It is the opinion of the staff that the proposal is inconsistent with the Comprehensive Plan. While the proposed density of 1.273 units per acre is within the range prescribed by the Future Land Use Map, it is not in compliance with the other policies outlined in the Comprehensive Plan noted above. Additionally, approval of this request could potentially trigger further lot subdivisions along High Point Road. Council's recent denial of a rezoning request on High Point Road further supports the denial of this request. Therefore, based on these reasons, the staff recommends **DENIAL** of the rezoning petition.

Should the Mayor and City Council decide to rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District), the staff recommends the approval be subject to the R-2A regulations in the Sandy Springs Zoning Ordinance and the Sandy Springs Code of Ordinances and the following conditions:

- 1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Residential units at a density of 1.273 units per acre.
- 2. To the owner's agreement to abide by the following:
 - a. The site plan received by the Department of Community Development dated December 15, 2014 drawn by Site Works Survey & Planning.. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.

Attachments

- Letter of Intent received December 2, 2014
- Site Plans received dated December 15, 2014
- Additional comments from the Fulton County Department Health and Wellness

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DESIGN-CONSTRUCTION CRAFTMASTER, INC.



TO:

City of Sandy Springs

DEC 02 2014

FROM: Design Construction by Craftmaster

City of Sandy Springs Community Development

DATE: December 1, 2014

RE:

Letter of Intent

4920 High Point Road Sandy Springs, GA 30342

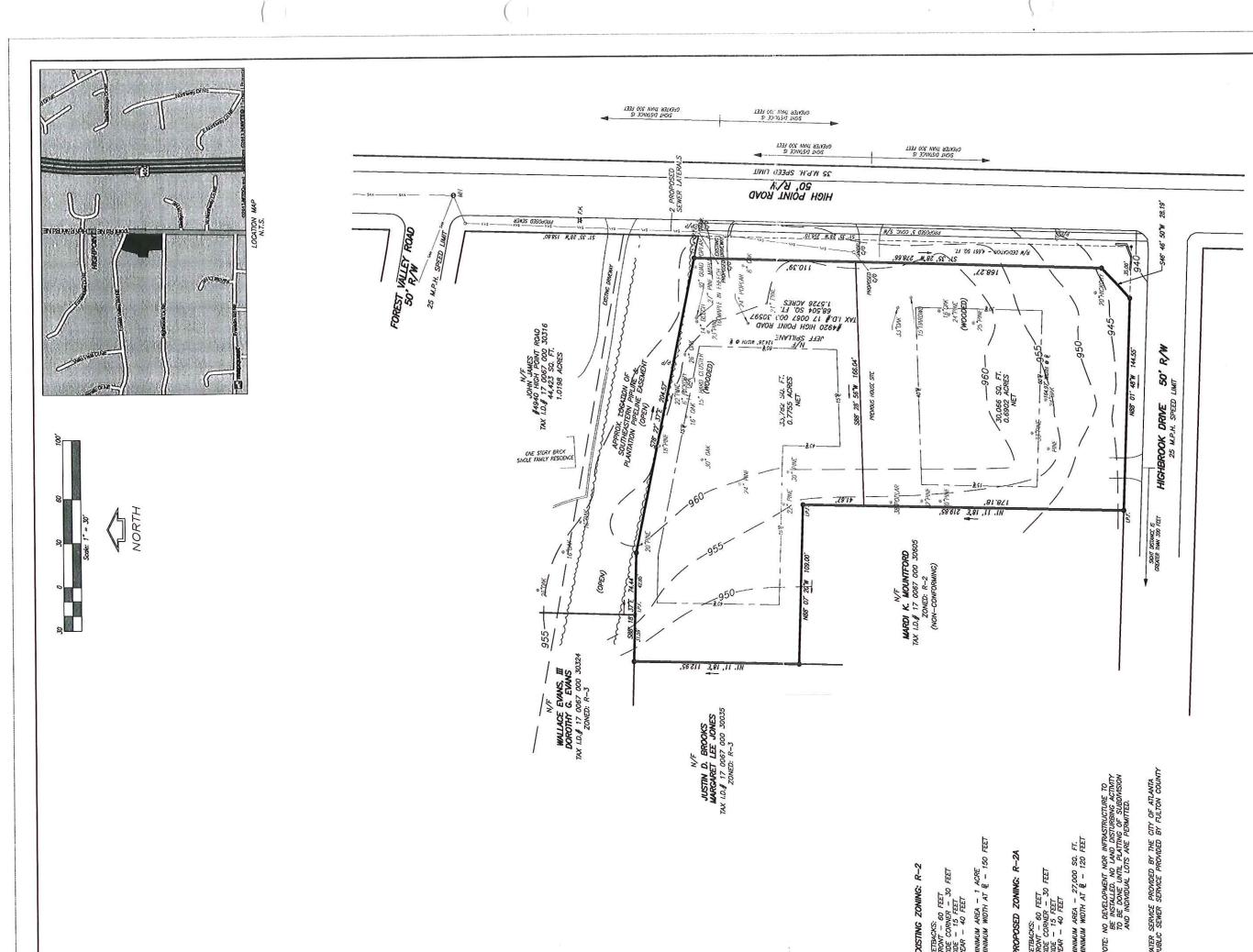
This letter of intent for 4920 High Point Road is to rezone one (1) property currently zoned R-2 into two (2) properties. The property would be rezoned to R2A and contain 2 single-family homes with the value of those homes in the million dollar plus range.

If you have any questions, please call me at: 404-372-0300. Thank you.

2 Leon Pers.

Ed Levin

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JAN

City Of Sandy Springs Community Development

REZONING PLAN FOR 4920 HIGH POINT ROAD

200 STATEMENT SEN PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ES ACCORDING TO FLR.M. PANEL ∯13121CO163 F, ST REVISED ON SEP. 18, 2013.